

**REMARKS**

Claims 1-11 are pending. By this response, claims 1, 5, 10 and 11 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-11 under 35 U.S.C. § 102(e) as being anticipated by Haraguchi et al. (U.S. 6,222,613). This rejection is respectfully traversed.

Claims 1, 5, 10 and 11 have been amended to recite, *inter alia*, carrying-out image processing on image data obtained by a digital camera according to (1) default processing conditions, which are processing conditions common for all models of digital cameras, regardless of model of each digital camera, for modifying features and characteristics of the image represented by the image data; and (2) processing conditions corresponding to a model of the digital camera. Applicant notes that the claims recite two separate processing conditions in which the default processing conditions are common to all models of the digital camera and relate to the features and characteristics of the image itself while the second processing condition corresponds to the model of the digital camera. Applicant respectfully submits that Haraguchi fails to teach the above features of Applicant's independent claims.

Haraguchi, in contrast to the present invention, teaches an image processing apparatus that stores only image processing conditions for particular camera types. See col. 10, lines 62-66. Haraguchi teaches that the image processing conditions are stored in the memory 73 for each model of the digital camera. See col. 11, lines 30-31. Such reference to the image processing conditions refer to image processing conditions associated with a particular digital camera.

Haraguchi also teaches a resolution converter (size converter) in which a fixed size for an input image is predetermined. Each image input into the system of Haraguchi is converted to this predetermined size. See Haraguchi Abstract in col. 9, lines 10-15.

The Office Action alleges that the resolution converter corresponds to Applicant's claimed default processing conditions. Applicant respectfully disagrees.

Applicant notes that Haraguchi does not teach the two separate processing conditions recited in the independent claims necessary to anticipate Applicant's claimed features. The Office Action asserts that the resolution converter processing corresponds to the default processing conditions while the actual image processing for a specific camera type refers to the processing conditions corresponding to a model of camera which are recited in Applicant's independent claims. Applicant respectfully submits that the resolution converter processing is directed solely to resolution conversion of an image and is not directed to modification of features and characteristics of the image itself. Applicant respectfully submits that the image size is not a characteristic of the image itself. The image is the same no matter what size it is enlarged or reduced. Thus, the characteristics and features of the image are also the same. This is contrary to the claimed features of Applicant's claimed default processing condition in which the processing conditions refer to the modification of the features and characteristics of the image itself, i.e., color enhancement, tone control etc. and not resolution or size.

Therefore, Haraguchi fails to teach all the features of independent claims 1, 5, 10 and 11 as required.

Applicant respectfully submits that claims 3 and 8 are also allowable for the reasons discussed above with regard to the independent claims. Further, dependent claims 3 and 8 are



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allowable in view of Haraguchi for the features they recite because although the resolution converter processing converts an image based on a predetermined size, the predetermined size is not customized using a menu generated in advance.

Therefore, for the above reasons, Applicant respectfully submits that Haraguchi fails to teach each and every feature of the claims as required. Reconsideration and withdrawal of this rejection is respectfully requested.

### CONCLUSION

For at least reasons, it is respectfully submitted claims 1-11 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.



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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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